

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

ANTHONY CIECHALSKI,

No. C-06-02289 SBA (JCS)

Plaintiff(s),

v.

**ORDER GRANTING IN PART AND  
DENYING IN PART PLAINTIFF'S MOTION  
TO COMPEL [Docket No. 23]**

TIFFANY & COMPANY, ET AL.,

Defendant(s).

Plaintiff, Anthony Ciechalski, filed a Motion to Compel (the "Motion"), which was heard before the undersigned on April 27, 2007, at 9:30 a.m., in Courtroom A, 450 Golden Gate Avenue, San Francisco, California. Laurence A. Padway appeared as counsel for Plaintiff. Dennis G. Rolstad appeared as counsel for Defendant and the Real-Party-in-Interest. Having heard the arguments of counsel, and based on the record in this matter, and for the reasons stated on the record, the Motion is GRANTED IN PART and DENIED IN PART as follows:

1. Defendant shall, within ten (10) days of the date of this Order, answer the following interrogatories:

(a) Interrogatory No. 1 of Plaintiff's First Set of Interrogatories to Defendant Tiffany & Co. Long-Term Disability Plan, provided, however, that the answer shall only be with respect to any and all doctors who conducted or participated in medical reviews in connection with Plaintiff's claim for disability benefits at issue in this matter.

(b) In addition, with respect to each doctor who conducted or participated in medical reviews in connection with Plaintiff's claim for disability benefits at issue in this matter, Plaintiff may propound an interrogatory inquiring how many of the reviews by those doctors for

1 Hartford ERISA disability claims reached conclusions favorable to the granting of disability  
2 benefits, and how many reached conclusions favorable to the denial of the disability benefits.

3 (c) Interrogatories Nos. 10, 11, and 12, only to the following extent: Defendant  
4 shall state each and every qualification of each and every doctor who conducted or participated in  
5 the review of Plaintiff's claims for disability benefits in this matter.

6 2. In addition, within ten (10) days of the date of this Order, Defendant shall produce  
7 the following documents:

8 (a) Documents responsive to Request Nos. 1 and 2 of Plaintiff's First Request for  
9 Production that refer to Plaintiff.

10 (b) Documents responsive to Request No. 3 of Plaintiff's First Request for  
11 Production.

12 Except as so ordered, the Motion is DENIED. No other discovery may be propounded  
13 without the Court's approval.

14 IT IS SO ORDERED.

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16 Dated: April 30, 2007

  
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JOSEPH C. SPERO  
United States Magistrate Judge